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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1261 OF 2006

Pune Mahanagarpalika Kamgar Union,
Pune-411 005. ... Petitioner

V/s

Pune Municipal Corporation,
& ors. ... Respondents

Mr. Nitin A. Kulkarni and S.B. Bomble for the petitioner.

Mr. R.G. Ketkar for the respondents.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 2ND JULY, 2007.

P.C.:

1. This petition challenges the order dated 1.10.2005 passed in Complaint (ULP) No. 178 of 2004. The petitioner contends that the calculation of his wages for the month of February, 2003 is incorrect. According to the petitioner, the respondents have not followed the settled formula for calculating the daily wage of each workman while calculating his wages. The daily wage of a daily rated workman is worked out by dividing by 26 the sum of the minimum basic wage and 100% of the dearness allowance payable.

2. Admittedly, the workmen worked for 24 days in February 2003. The calculation of daily wages has been made correctly and the daily wage has been calculated at Rs.195.85 ps. This amount was multiplied by 24 days i.e. the number of working days for that month. The respondents sought to deduct two days' wages as inadvertently they had paid wages for 26 days.

3. I see no reason to interfere with the order of the Industrial Court since it is based on the calculation and formula which is applicable to the workmen.

3. Writ petition is rejected.

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